

PCT

INTERNATIONAL SEARCH REPORT

41 SEP 2004

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 300051WO/CMH	FOR FURTHER ACTION see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. PCT/GB 03/01275	International filing date (day/month/year) 25/03/2003	(Earliest) Priority Date (day/month/year) 25/03/2002
Applicant THERYTE LTD		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 6 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

- a. With regard to the language, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international search was carried out on the basis of the sequence listing:

☒ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☒ furnished subsequently to this Authority in computer readable form.

☐ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☒ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☒ Certain claims were found unsearchable (See Box I).

3. ☒ Unity of invention is lacking (see Box II).

4. With regard to the title,

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

5. With regard to the abstract,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the drawings to be published with the abstract is Figure No.

☐ as suggested by the applicant.

☐ because the applicant failed to suggest a figure.

☐ because this figure better characterizes the invention.

☐ None of the figures.

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 G01N33/50 C12Q1/68 C12N15/11

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 C12Q G01N C12N

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, BIOSIS, EMBASE, WPI Data, PAJ, MEDLINE

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	<p>YAMAMOTO H ET AL: "Paradoxical increase in retinoblastoma protein in colorectal carcinomas may protect cells from apoptosis."</p> <p>CLINICAL CANCER RESEARCH: AN OFFICIAL JOURNAL OF THE AMERICAN ASSOCIATION FOR CANCER RESEARCH. UNITED STATES JUL 1999, vol. 5, no. 7, July 1999 (1999-07), pages 1805-1815, XP002258777</p> <p>ISSN: 1078-0432</p> <p>page 1807, column 2, paragraph 2 - page 1810, column 2, paragraph 3</p> <p style="text-align: center;">----- -/--</p>	1-23

☒ Further documents are listed in the continuation of box C.☒ Patent family members are listed in annex.

* Special categories of cited documents:

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

- *T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- *X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- *Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- *Z* document member of the same patent family

Date of the actual completion of the international search

22 October 2003

Date of mailing of the international search report

25-05-2004

Name and mailing address of the ISA

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Authorized officer

Hinchliffe, P

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	WEINSTEIN I BERNARD: "Disorders in cell circuitry during multistage carcinogenesis: The role of homeostasis" CARCINOGENESIS (OXFORD), vol. 21, no. 5, May 2000 (2000-05), pages 857-864, XP002258778 ISSN: 0143-3334 page 861, column 2, line 42 - page 862, column 1, line 16	1-23
Y	SEABRA ET AL: "Wild-type CDK1 and CDK4 proteins are co-elevated in human cancer" PROCEEDINGS OF THE ANNUAL MEETING OF THE AMERICAN ASSOCIATION FOR CANCER RESEARCH, NEW YORK, NY, US, vol. 39, 28 March 1998 (1998-03-28), page 442, XP002114068 ISSN: 0197-016X the whole document	1-23
Y	WO 99/42821 A (SEABRA LAURENCE ANTHONY ;THERYTE LIMITED (GB); WARENIUS HILMAR MEE) 26 August 1999 (1999-08-26) cited in the application page 3, lines 10-25	1-23
X	MOORTHAMER MARK ET AL: "The p16INK4A protein and flavopiridol restore yeast cell growth inhibited by Cdk4" BIOCHEMICAL AND BIOPHYSICAL RESEARCH COMMUNICATIONS, vol. 250, no. 3, 29 September 1998 (1998-09-29), pages 791-797, XP002258693 ISSN: 0006-291X page 797, column 1, lines 23-38	11,13, 14,17
Y	WO 02/16939 A (EOS BIOTECHNOLOGY INC ;GISH KURT C (US); MACK DAVID (US); WILSON K) 28 February 2002 (2002-02-28) page 8, lines 1-30	1-23
Y	EP 1 072 687 A (MEDICAL & BIOLOG LAB CO LTD) 31 January 2001 (2001-01-31) claims 1,4	1-23
T	WARENIUS HILMAR M: "Are critical normal gene products in cancer cells the real therapeutic targets?" ANTICANCER RESEARCH, vol. 22, no. 5, pages 2651-2656, XP009019600 ISSN: 0250-7005 the whole document	1-23

Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:
Although claims 11,13,14,18,19,20,21 are directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the compound/composition.
2. ☐ Claims Nos.:
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this International application, as follows:

see additional sheet

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☒ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

1-23

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box I.1

Although claims 11,13,14,18,19,20,21 are directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the compound/composition.

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
WO 9942821	A	26-08-1999	GB 2334577 A	25-08-1999
			GB 2334578 A	25-08-1999
			GB 2335739 A	29-09-1999
			AT 238553 T	15-05-2003
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			AU 743454 B2	24-01-2002
			AU 2537999 A	06-09-1999
			AU 739001 B2	04-10-2001
			AU 2538099 A	06-09-1999
			AU 735896 B2	19-07-2001
			AU 2538199 A	06-09-1999
			AU 741712 B2	06-12-2001
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			AU 741632 B2	06-12-2001
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			DE 69907151 D1	28-05-2003
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			EP 1057029 A2	06-12-2000
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			EP 1057031 A1	06-12-2000
			EP 1057032 A2	06-12-2000
			EP 1057033 A1	06-12-2000
			GB 2334579 A ,B	25-08-1999
			WO 9942834 A2	26-08-1999
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			WO 0216939 A2	28-02-2002
EP 1072687	A	31-01-2001	JP 2001017184 A	23-01-2001
			EP 1072687 A2	31-01-2001